

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLN.NO.865 OF 2007

Smt.Kiran Lalitkumar
Chaghada ..Applicant

Vs.

Union of India & Ors. ..Respondents

...
Mr.V.M.Dolphode & Co. for Applicant
Mr.R.F.Lambay counsel for respondents 1 & 2.
Mr.S.S.Pednekar A.P.P. for the State
...

CORAM: SMT.V.K.TAHILRAMANI, J.
DATE : MARCH 26, 2007

P.C.

1. Heard the learned advocate for the applicant-original accused, learned counsel for respondent nos.1 and 2 and the learned A.P.P. for the State.

2. The applicant is seeking bail in R.A.No. 12 of 2007 which is pending before the learned Addl. Chief Metropolitan Magistrate, Esplanade Court No.3, Mumbai. The said R.A. has been filed by respondent no.2 i.e. D.R.I. authority. The said case is under Section 135 of Customs Act.

3. The learned counsel for the applicant has submitted that the applicant is a lady and she has minor son aged about 5 years.

4. It is further submitted that the applicant has been in custody for about 50 days. It is further submitted that offence is compoundable in nature and hence, looking to these facts, applicant may be granted bail.

5. Mr.Lambay, the learned counsel appearing for respondent nos.1 and 2 on instructions from the D.R.I. officer Mr.Tolani, has submitted that bail may be granted only on conditions that the applicant shall attend the office of D.R.I. at Churchgate once in a week and the applicant shall not leave India without prior permission of the trial Court.

6. In view of the above facts, I am inclined to grant bail to the applicant.

7. The applicant to be released on bail in the sum of Rs.30,000/- (Rs.Thirty thousand only) with one or two sureties to make up the said amount in

connection with R.A.No.12 of 2007 which is pending before the learned Addl. Chief Metropolitan Magistrate, Court No.3, Esplanade, Mumbai. The applicant shall report to D.R.I. authority at D.R.I. Office, Churchgate, Mumbai on every Thursday between 10 a.m. to 2 p.m. The applicant shall not leave India without prior permission of the trial Court till conclusion of the trial.

8. Application is disposed of.

[V.K.Tahilramani, J.]